

Amendments to the Drawings:

“Replacement Sheets” are attached which includes a clean version of amended Figures 1A, 2A, 3A, 3B, 4A, 4B, 5, 5A, 6, 7, 8, 8A, 10, 12A and 12B. The attached sheets replace the original sheets including amended Figures 1A, 2A, 3A, 3B, 4A, 4B, 5, 5A, 6, 7, 8, 8A, 10, 12A and 12B.

“Annotated Sheets Showing Changes” are also attached with includes a marked-up version of amended Figures 1A, 2A, 3A, 3B, 4A, 4B, 5, 5A, 6, 7, 8, 8A, 10, 12A and 12B, with changes indicated in red.

Applicant proposes amending Figures 1A, 2A, 3A, 3B, 4A, 4B, 5, 5A, 6, 7, 8, 8A, 10, 12A and 12B as indicated in red on the attached Annotated Sheet Showing Changes to add annotations, correct errors between the original drawings and the corrected drawings originally submitted, and more clearly point out the invention. Applicant respectfully submits that no new matter is added as a result of these changes to the drawings.

Applicant also proposes deleting Figures 1B, 2B and 10A.

REMARKS

Claims 1-5 are pending in the application. Claim 1 is independent. Applicant has amended the specification, drawings and claims. Applicant has added new claims 6-13, new claim 8 being independent. Applicant submits that no new matter is added by any of these amendments. Each amendment is supported by the specification as originally filed, drawings as originally filed and claims as originally filed. Applicant has included a redline version of the entire specification to assist the Examiner, as well as a clean copy of the amended specification. Applicant also respectfully requests that the Examiner approve the proposed amendments to amended Figures 1A, 2A, 3A, 3B, 4A, 4B, 5, 5A, 6, 7, 8, 8A, 10, 12A and 12B.

Claims 1, 3, 4, and 5 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,373,582 to Dragone, et al. ("Dragone").

Amended claim 1 recites "a flexible right shoulder strap and a flexible left shoulder straps fastened to right and left shoulder regions, respectively, of the rear section, wherein the straps extend over the right and left shoulders of the user for attachment to corresponding right and left portions of the front section. . . wherein the shoulder straps are at least partially hidden within the outershell shoulder area, wherein the shoulder straps include adjustability within the outershell shoulder area." Likewise, new independent claim 8 recites that "the left shoulder strap attaches to the at least one suspension tab at the left front shoulder area of the front ballistic panel and the right shoulder strap attaches to the at least one suspension tab at the right front shoulder area of the front ballistic panel within the front outershell." Dragone does not describe or disclose at least the adjustability within the outershell shoulder area and the single shoulder strap on each of the left and right shoulder.

On the contrary, Dragone discloses straps and fasteners extending from both the front body armor panel and the rear body armor panel (i.e., two straps on each of the left and right shoulder). These straps and fasteners are extended over the user's shoulders in an overlaid fashion. (See Dragone at col. 5, lines 33-42 and Figure 8). The straps from the rear body armor panel then engage the outer layer of a front garment shell (outershell) of the front panel:

Referring to FIG. 5, a front garment shell 34 for retaining body armor panel 1 has an outer layer 35... The outer layer 35 has complimentary fastener means 42, 43, 44, and 45 for accepting mating fasteners which extend from a complementary back body armor panel, as described below.

(See Dragone at col. 5, lines 1-10 and Figure 5; see also col. 5, lines 17-32). It is this attachment mechanism on the outside of the outershell that gives the Dragone system its adjustability.

Dragone fails to provide adjustability within the outershell shoulder area.

Further, Dragone does not describe or disclose "a stabilizer tab. . directly sewn to the ballistic panel so as to stabilize the ballistic panel against the user's body" as recited in claim 1, or "a stabilizer tab directly sewn to the front ballistic panel to maintain the front ballistic panel against the user's body" as recited in claim 10. Applicant respectfully disagrees with the Examiner's assertion that Figure 10 discloses such a stabilizer tab. (See Figure 10 and col. 5, line 59 – col. 6, line 7).

In view of the above remarks, Applicant submits that the claims as previously and currently amended are patentable over Dragone, and respectfully requests that this rejection be withdrawn.

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being obvious over Dragone. Applicant respectfully submits that claim 2 is patentable for at least the reasons discussed above with regard to claims 1, 3, 4, and 5, and respectfully requests that this rejection be withdrawn.

Applicant submits that all the claims are now in condition for allowance, which action is requested.

CONCLUSION

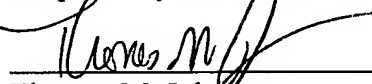
It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claims does not necessarily signify concession of unpatentability of the claim prior to its amendment.

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

A \$450.00 check for the petition for two month extension of time was previously sent. Please charge any additional fee(s) or credit any overpayments to Deposit Account 50/2324.

Date: 3/21/07

Respectfully submitted,



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